

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RANDALL HAMPTON, #226420,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06-CV-400-MHT
)	
PRISON HEALTH CARE SERVICES, et al.,)	
)	
Defendant.)	

O R D E R

On September 1, 2006, counsel for the medical defendants erroneously filed a motion to dismiss. This motion is not properly before the court as the defendants submitted the motion without permission of the court. *See Order of July 14, 2006 - Court Doc. No. 8* at 2 (“No motion for summary judgment, motion to dismiss or any other dispositive motions . . . [may] be filed by any party without permission of the court.”). The aforementioned order further directed that “[i]f any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court [without the requisite permission having been granted], the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.” *Id.* at 2-3. Accordingly, it is

ORDERED that the motion to dismiss electronically filed by the defendants be stricken from the docket. The defendants are advised that the plaintiff has filed a complaint and amendment thereto which sufficiently set forth claims for relief against the named

defendants. Specifically, the plaintiff contends that during his confinement at the Bullock County Correctional Facility the defendants have acted with deliberate indifference to his seizures. The defendants are advised that they must file a written report in compliance with the orders entered herein addressing the claims for relief presented by the plaintiff.

Done this 5th day of September, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE